

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

.....  
UNITED STATES OF AMERICA,

VS.

VIDAL BENVENUTTI, JR.

U.S. DISTRICT COURT, E.D.N.Y.

\* NOV 30 2005 \*

BROOKLYN OFFICE

JUDGMENT INCLUDING  
SENTENCE

NO. Cr-04-629-01 (JG)

USM# 63168-053

John Nathanson  
Assistant United States Attorney

Alan Sherman  
Court Reporter

Deborah Colson, Esq.  
Defendant's Attorney

The defendant Vidal Benvenutti, Jr. having pled guilty to single count information accordingly, the defendant is ADJUDGED guilty of such Count(s), which involve the following offenses:

<u>TITLE AND SECTION</u>	<u>NATURE OF OFFENSE</u>	<u>COUNT NUMBERS</u>
21 USC 952(a), 963, 960(a)(1), AND 960(b)(3)	CONSPIRACY TO IMPORT COCAINE	ONE

The defendant is sentenced as provided in pages 2 through 3 of the Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1988.

- The defendant is advised of his/her right to appeal within ten (10) days.  
 The defendant has been found not guilty on count(s) and discharged as to such count(s)  
 Open counts are dismissed on the motion of the United States.  
 The mandatory special assessment is included in the portion of Judgment that imposes a fine.  
 It is ordered that the defendant shall pay to the United States a special assessment of \$100.00 which shall be due immediately.

It is further ORDERED that the defendant shall notify the United States Attorney for this District within 30 days of any change of residence or mailing address until all fines, restitution, costs and special assessments imposed by this Judgment are fully paid.

NOVEMBER 8, 2005

Date of Imposition of sentence

s/John Gleeson

JOHN GLEESON, U.S.D.J.

11-8-05

Date of signature

A TRUE COPY ATTEST  
DEPUTY CLERK

John Klein

DEFENDANT: VIDAL BENVENUTTI  
CASE NUMBER: CR 04-629-01(JG)

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**PROBATION**

The defendant is hereby placed on probation for a term of FIVE (5) YEARS.

The defendant shall not commit another Federal, State or Local crime.

The defendant shall not unlawfully possess a controlled substance.

For offenses committed on or after September 13, 1998:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as directed by the probation officer.

       The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse.

X The defendant shall not possess a firearm as defined in 18 U.S.C. Sect. 921.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution in accordance with the schedule of payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth in the "Standard Conditions of Supervision" sheet).

The defendant shall comply with the following additional conditions

**THE DEFENDANT IS TO SERVE 200 HOURS OF COMMUNITY SERVICE  
UNDER THE SUPERVISION AND DIRECTION OF THE PROBATION DEPT.  
RECEIVE SUBSTANCE ABUSE TREATMENT AS DIRECTED BY THE  
PROBATION DEPARTMENT; THE DEFENDANT SHALL ABSTAIN FROM ALL  
ILLEGAL DRUGS AND ALCOHOL.**